

UNITED STATES BANKRUPTCY COURT

FOR THE

EASTERN DISTRICT OF VIRGINIA
Alexandria Division

In the Matter of:

DEREK WALKER

Debtor

Chapter 13

Case No. 19-13862-KHK

OBJECTION TO CONFIRMATION OF PLAN,
NOTICE OF OBJECTION TO CONFIRMATION OF PLAN
AND
NOTICE OF SCHEDULED HEARING ON THIS OBJECTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this objection to confirmation of your Chapter 13 Plan filed December 30, 2019. The cause for this objection is as follows:

Violation of 11 U.S.C. §1325(b)(1)(B) – Disposable Income and Violation of 11 U.S.C. §1325(a)(3) – Good Faith.

- Debtor's joint income with spouse is scheduled at amounts lower than 2018 income, even though they have same employment.

Violation of 11 U.S.C. §1325(a)(6) – Feasibility.

- Debtor's prior case (#18-10560-BFK) was dismissed when Debtor was unable to achieve confirmation after proposing ten Plans. Debtor has made only one Plan payment thus far in this case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the objection, or if you want the court to consider your views on the objection, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an

Notice of Objection To Confirmation

Derek Walker, Case # 19-13862-KHK

order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before the date stated above. You must mail a copy to the persons listed below.

Attend the hearing to be held on February 13, 2020 at 1:30 p.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste, 400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: January 28, 2020

/s/ Thomas P. Gorman _____
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 28th day of January, 2020, served via ECF to authorized users or mailed a true copy of the foregoing Objection to Confirmation, Notice of Objection and Notice of Hearing to the following parties.

Derek Walker
Chapter 13 Debtor
11601 Windbluff Court
Reston, VA 20191

Nathan Fisher, Esq.
Attorney for Debtor
Fisher-Sandler, LLC.
3977 Chain Bridge Rd. #2
Fairfax, VA 22030

/s/ Thomas P. Gorman _____
Thomas P. Gorman